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International Megan's Law

Mr. SMITH of New Jersey: Mr. Speaker, child predators thrive on secrecy, a secrecy that allows them to commit heinous crimes against the weakest and most vulnerable.

Today the House has under consideration H.R. 515, the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders, a law that will significantly thwart child sexual exploitation in the United States and abroad through a comprehensive and efficient system that warns law enforcement of traveling sex offenders.

Mr. Speaker, I first introduced International Megan's Law back in 2008. It has passed the House three times—2010, 2014, 2015—and, thankfully, passed the United States Senate in December. International Megan's Law honors the memory of Megan Kanka, a precious little girl from my hometown of Hamilton who suffered and died at the hands of a sexual predator. Megan was just 7 years old when she was kidnapped, raped, and brutally murdered in 1994. Her assailant lived across the street. Unbeknownst to her family and other residents in the neighborhood, he was a convicted repeat sex offender.

Due to the extraordinary work by Megan's courageous parents, Maureen and Richard Kanka, the New Jersey State Legislature passed and the Governor signed the original Megan's Law in 1994 and expanded it in 2001. It requires

registration and public notification of convicted sex offenders living in the community.

Today all 50 States and all U.S. territories have a Megan's Law. Because of this law, parents, guardians, universities, school officials, sports coaches, law enforcement, and the public at large are now empowered with the critical information they need to mitigate harm to children.

We know from law enforcement and media documentation that Americans on the U.S. sex offender registries are caught sexually abusing children in Asia, Central and South America, Europe, and, frankly, everywhere. A deeply disturbing 2010 report by the GAO found that at least 4,500 U.S. passports were issued to registered sex offenders in fiscal year 2008 alone.

Typically, Mr. Speaker, a passport is valid for 10 years, meaning some or many of the tens of thousands of registered sex offenders possessing passports may be on the prowl internationally looking to exploit and abuse.

Ernie Allen, who served for 30 years as the president and CEO of the Center for Missing and Exploited Children and the International Centre for Missing and Exploited Children, recently said: "It is clear that there is a substantial category of offenders who do not offend as a lapse of judgment; they do it as a lifestyle. And these are the offenders who are most likely to travel to seek victims in places where the offender is most likely

to be anonymous and most likely to avoid identification and apprehension.”

Studies suggest and demonstrate that even when caught, prosecuted, and jailed, for a number of predators, the propensity to recommit these crimes at a later date remains. For example, a 2008 study by Oliver, Wong, and Nicholaichuk showed that untreated sex offenders were reconvicted for sexual crimes at a rate of 17.7 percent after 3 years, 24.5 percent after 5 years, and 32 percent after 10 years. Keep in mind, Mr. Speaker, that these are just the rates for those who were caught again and then convicted.

Pedophiles and other sexual predators often harm more than one victim. There are different studies that showed large numbers of child victims and large numbers of acts committed against those children. For every victim who reports, there are likely many others who could not, would not, and cannot come forward.

Mr. Speaker, some of those exploited children are prostituted by human traffickers to pedophiles. The International Labour Organization has estimated that 1.8 million children are victims of commercial sexual exploitation around the world each year.

It is imperative that we take the lessons learned on how to protect our children from known child sex predators within our borders and expand those protections globally to prevent convicted U.S. sex offenders from harming children abroad. It is imperative that we teach other countries how to establish their own Megan’s Law and push other countries to warn us in the United States when their sex offenders are traveling here.

Specifically, H.R. 515 will authorize and empower the Angel Watch Center, operating under the auspices of Immigration and Customs Enforcement, to check flight manifests against sex offender registries and quickly warn destination countries when sex offenders are headed their way.

The Angel Watch Center is authorized to send actual information about child sex offender travel to destination countries in a timely fashion for those countries to assess the potential damage and

dangers to their kids and to respond appropriately, whether it is to deny entry or visa, monitor travel, or limit travel.

To prevent offenders from thwarting International Megan’s Law notification procedures by country hopping to an alternative destination not previously disclosed, H.R. 515 includes provisions for the State Department to develop a passport identifier or, as we put it in the bill, “any visual designation affixed to a conspicuous location on the passport indicating that the individual is a covered sex offender.” A passport, Mr. Speaker, so identified provides law enforcement and Customs an additional tool to protect children.

The passport identifier is only for those who have been found guilty of a sex crime involving a child and have been deemed dangerous enough to be listed on a public sex offender registry. When this information is no longer public knowledge in the United States—in other words, they are off the registry—the passport identifier, in like manner, will no longer be required.

It is worth noting that some States already require sex offenders to have their status listed on their driver’s licenses—Alabama, Florida, Delaware, and Louisiana, to name a few. Ironically, it has been reported that some registered sex offenders have used their passports as an ID in order to keep their status secret.

Mr. Speaker, in order to protect potential victims, H.R. 515 also aims to establish a durable system of reciprocity among the nations of the world. International Megan’s Law directs the Secretary of State to seek agreements with other countries so that the U.S. is notified in advance of incoming sex offenders.

I would like to offer my profound appreciation, Mr. Speaker, to Majority Leader Kevin McCarthy for his deep and abiding commitment to combating human trafficking in all of its ugly manifestations, for scheduling the House vote 12 months ago on International Megan’s Law and another dozen or so anti-human trafficking measures sponsored by Members from both sides of the aisle. That was historic and had never been done like that before. So I thank him for that

leadership and for working closely with the Senate in order to help bring this bill to fruition.

His policy adviser, Emily Murry, was remarkable, as was and is Kelly Dixon. I would like to thank our distinguished chairman of the Foreign Affairs Committee, Ed Royce, and Ranking Member Eliot Engel for their strong support for this bill and for the assistance of Jessica Kelch, Doug Anderson, and Janice Kaguyutan. Janice will remember. She traveled with one of my staffers years ago investigating this terrible issue, which is a global scourge.

Senator Bob Corker, chairman of the Foreign Relations Committee on the Senate side, truly made this bill a priority and carried it over the finish line in the Senate. Thank you, Senator. Thank you, Mr. Chairman, for that. His professional staff, Caleb McCarry and Counsel Sarah Ramig, showed remarkable dedication and persistence through multiple interagency negotiations. His chief of staff, Todd Womack, and legislative director, Rob Strayer, skillfully guided the bill through the process on the Senate side, and I can't thank them enough.

I also want to thank my good friend Ben Cardin—Ben and I serve and have served for decades on the Helsinki Commission—for his support and for his efforts.

I am grateful to Senator Richard Shelby and Senator Barbara Mikulski for their assistance and driving better Angel Watch Center collaboration with the U.S. Marshals Service's Sex Offender Targeting Center. USMS will be required to vet names sent out by the Angel Watch Center and share previously vetted names with the Center in order to maximize expertise, avoid duplication of efforts, and ensure accuracy of international notifications.

I would note that Senator Shelby also championed the passport provisions that will ensure sex offenders with crimes against children cannot end-run the system. I would like to thank his professional staffer, Shannon Hines, who was extraordinarily smart and creative during this process.

Thanks to professional staffer Jen Deci as well as Senator Mikulski's staffer, Jennifer Eskra, for their tireless work as well. Senator John Cornyn, majority leader, did not rest on his success earlier this year in navigating the Justice for Victims of Trafficking Act through the Senate, but persisted until International Megan's Law was complete over on the Senate side.

Last, but not least, I would like to thank my chief of staff, Mary Noonan, who has been tenacious in guiding this bill past obstacle after obstacle, and Allison Hollabaugh, who worked energetically, effectively, and expertly with the agencies and other interested parties to achieve the final bill.

I also would like to thank my former top Foreign Affairs Committee staff member, Sheri Rickert, who spent countless hours over several years negotiating with disparate parties trying to achieve passage of the bill. Those efforts, Sheri, were not in vain.

I would like to thank the National Center for Missing and Exploited Children for their strong endorsement of the bill, the International Centre for Missing and Exploited Children, ECPAT-USA, and the Family Research Council, for their input, counsel, and strong support.

I again first introduced this bill in 2008, alongside Megan Kanka's parents, Maureen and Richard Kanka. Maureen and Richard, Mr. Speaker, are heroic people. They have fought for decades to spare children and their families from horrific crimes that can and must be prevented.

While they still carry deep emotional and psychological scars, Maureen and Richard's selflessness, love of others, and vision have protected countless children from harm.

Enactment of International Megan's Law will expand meaningful child protection at home and around the world, and I urge my colleagues to support it.

I reserve the balance of my time.